

APPEAL NO. 021731  
FILED AUGUST 22, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 11, 2002. The appellant/cross-respondent (carrier) appeals the hearing officer's determinations that the respondent/cross-appellant (claimant) sustained a compensable injury on \_\_\_\_\_, and that the claimant had good cause for not timely reporting the injury to the employer. The claimant responds, urging affirmance of those determinations and asks that we review the hearing officer's determination that he did not have disability resulting from the compensable injury.

DECISION

Affirmed.

Although the claimant's response to the carrier's appeal is timely as a response, it is untimely as an appeal<sup>1</sup> of the disability determination. Consequently, the disability determination has become final. See Section 410.169.

There was conflicting evidence in regard to the hearing officer's determinations that the claimant sustained a compensable injury on \_\_\_\_\_, and that the claimant had continuing good cause for not timely reporting the injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The hearing officer reviewed the record and resolved what facts were established. After review of the record and the complained-of determinations, we have concluded that there is sufficient legal and factual support for the hearing officer's decision. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

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<sup>1</sup> See Section 410.202(a). For an appeal to be considered timely, it must be filed or mailed within 15 days of the date of receipt of the hearing officer's decision. Section 410.202(d) was amended effective June 17, 2001, to exclude Saturdays, Sundays, and holidays.

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **ZURICH NORTH AMERICAN** and the name and address of its registered agent for service of process is

**GARY SUDOL  
ZURICH NORTH AMERICAN  
12222 MERIT DRIVE, SUITE 700  
DALLAS, TEXAS 75251.**

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Roy L. Warren  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Elaine M. Chaney  
Appeals Judge